

Dated: 07/22/11

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF TENNESSEE**

**IN RE:** : **CASE NO: 10-02347-MFH**  
: **CHAPTER: 11**  
:  
**JAMES ALONZO SOWELL** :  
**Debtor** :  
:  
:

**AGREED ORDER ON OBJECTION TO CONFIRMATION**

Select Portfolio Servicing as Servicer for The Bank of New York, as trustee for the holders of the EQCC Asset Backed Certificates, Series 2001-1F, for itself, its successors and assigns (hereinafter "Movant"), filed a Objection to Confirmation (the "Objection") which was set for hearing **July 12, 2011** (the "Hearing"). Based upon the agreements and stipulations of the parties, the pleadings of record, all of the matters brought before this Court, and for good cause shown, the Court finds as follows:

The Court has jurisdiction over this matter pursuant to 28 U.S.C. §157 and §1334, and this is a core proceeding pursuant to 28 U.S.C. §157(b)(2). Venue is proper pursuant to 28 U.S.C. §1408.

Movant is a secured creditor of the Debtors by virtue of a Deed of Trust and Note executed by the Debtors relative to a property located at **30/32 SHEPHERD STREET, NASHVILLE, TN 37210** (the "Property").

In connection with confirmation of the Debtors' plan, Movant and the Debtors have agreed to settle and compromise the Movant's Objection pursuant to the terms set forth below and agree to the entry of this Order.

Accordingly, by consent, it is hereby

**ORDERED** that:

This Order is entered in connection with confirmation of the Debtors' Chapter 11 Plan of Reorganization and sets forth the agreed treatment of the Movant's claim in the confirmed plan. The Debtors shall, and hereby do, amend their plan as to Movant's claim as set forth herein, and the terms set forth herein below shall for all purposes be considered to be terms of the confirmed plan with respect to the Movant.

With regard to the Movant's claim, the Plan treatment is modified as follows:

Movant's secured claim with collateral being **30/32 SHEPHERD STREET, NASHVILLE, TN 37210** shall be modified (executed Loan Modification Agreement (Note) attached hereto as Exhibit "A"). The unpaid principal balance under the modification is \$49,891.39. The interest rate is fixed at 5.000%. The principal and interest payment amount is \$326.12 monthly with the first due **July 1, 2011** and a maturity date of October 1, 2031. The payment amount under the modification does not include collection of funds for taxes or

insurance.

The Bankruptcy Court shall not retain jurisdiction of the Property after Confirmation. Default in the payment based on the terms of the Loan Modification Agreement (Note) shall be handled pursuant to state law and the original terms of the Deed of Trust and Note as they relate to default.

The Debtors shall obtain an order confirming their Chapter 11 Plan or any amendments thereto on or before **July 12, 2011**. If the Debtors fail to obtain an order of confirmation on or before **July 12, 2011**, or if for any reason such confirmation order does not become final within 10 days after it is entered, Movant shall be granted relief from the automatic stay as to the Collateral without the need for further notice, hearing, or proceedings before the Bankruptcy Court.

Once this Agreed Order becomes final and non-appealable, Movant's Objection will be hereby resolved.

This Order was Signed and Entered Electronically as Indicated at the Top of the First Page.

**[END OF DOCUMENT]**

Approved for entry by:

/s/ Natalie Brown  
Natalie Brown  
Attorney for Movant  
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/s/ Steven L. Lefkovitz with express permission

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This Order has been electronically  
signed. The Judge's signature and  
Court's seal appear at the top of the  
first page.  
United States Bankruptcy Court.